

Application No. 09/847,699

Amdt. dated 6/27/05

Reply to Office action dated 3/25/2005

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-20 remain in the application. Claims 1-2, 4-5, 7-10, 14-15 and 17-20 are subject to examination and claims 3, 6, 11-13 and 16 have been withdrawn from examination. Claims 19-20 have been allowed and claims 7, 8, 14, 17 and 18 have been objected to as being dependent on a rejected claim. Claim 1 has been amended herein.

With respect to "Claim Objections" on page 2 of the Office action, claim 16 has now been listed as withdrawn.

In "Claim Rejections - 35 USC § 102/103", on pages 2-3 of the above-identified Office Action, claims 1, 2, 4, 5 and 15 have been rejected as being fully anticipated by U.S. Patent No. 4,547,115 to Charbonnet under 35 U.S.C. § 102(b).

In "Claim Rejections - 35 USC § 102/103", pages 3-4 of the Office Action, claims 9 and 10 have been rejected as being fully anticipated by or obvious over Charbonnet under 35 U.S.C. § 102(b) or 103(a), respectively.

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The rejections have been noted and claim 1 has been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found on page 6, line 6, page 13, line 20 and page 34, line 8 of the specification and in claim 19, of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful. Amended claim 1 calls for a device for aligning a sheet prior to transferring the sheet to a sheet-processing machine, comprising:

at least one sheet-gripping device for displaceably aligning the sheet, said sheet-gripping device having a single displaceable positioning table and an actuating drive for selectively contactlessly displacing said positioning table in a plurality of directions selected from the group consisting of a sheet travel direction, a direction transverse to said sheet travel direction, and a rotation about an axis extending in a direction orthogonal to said sheet travel direction, the sheet to be aligned being fixable on said positioning table.

Charbonnet does not disclose contactlessly displacing a positioning table in a plurality of directions. It is noted

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that allowed claim 19 contains a similar feature and it is believed that the insertion of this feature in claim 1 renders it allowable as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art. The dependent claims 2-18 are believed to be patentable as well because they all are ultimately dependent on claim 1.

It is appreciatively noted from page 4 of the Office action that claims 19 and 20 have been allowed, and that claims 7, 8, 14, 17 and 18 would be allowable if placed in independent form, including all of the limitations of the base claim and any intervening claims. However, since claim 1 is believed to be allowable and claims 7, 8, 14, 17 and 18 are all ultimately dependent on claim 1, a rewrite is believed to be unnecessary at this time.

In this regard, withdrawal of the election of species requirement is requested, since all of the withdrawn claims 3, 6, 11-13 and 16 are ultimately dependent on claim 1.

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In view of the foregoing, reconsideration and allowance of  
claims 1-20 are solicited.

In the event the Examiner should still find any of the claims  
to be unpatentable, counsel would appreciate receiving a  
telephone call so that, if possible, patentable language can  
be worked out.

If an extension of time for this paper is required, petition  
for extension is herewith made.

Please charge any other fees which might be due with respect  
to Sections 1.16 and 1.17 to the Deposit Account of Lerner and  
Greenberg, P.A., No. 12-1099.

Respectfully submitted,

  
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LAG/sff

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